

REMARKS

Applicants hereby respond to the restriction requirement made in the Office Action.

The following groups of claims have been distinguished by the Examiner:

Group I – Claims 1-8 and 12, drawn to a nucleic acid encoding anti-Kazlauskas lipase, vector, host cell, and method of recombinantly making the protein;

Group II – Claims 10-11, drawn to anti-Kazlauskas lipase;

Group III – Claim 9, drawn to a method of preparing the nucleic acid encoding anti-Kazlauskas lipase;

Group IV – Claims 13-23 and 25, drawn to a method of preparing compounds of formula (I); and

Group V – Claims 24 and 26, drawn to a method of preparing compounds of formula (IIa).

Applicants respectfully traverse the restriction requirement and request reconsideration. In order to be fully responsive, Applicants have provisionally elected, with traverse, Claims of Group IV (13-23 and 25) drawn to the method of preparing compounds of formula (I). It is respectfully submitted that the search classification for each invention group substantially overlap. For example, the Examiner indicates that a search for Invention IV and Invention V would be in Class 436, subclass 145. Applicants respectfully submit that such search can be concurrently performed and that the Examiner will not be seriously burdened by searching and considering the inventions as described in all the presently filed claims. Accordingly, Applicants request withdrawal of the Restriction Requirement from Inventions I-V.

By this election, Applicants do not admit, nor do Applicants waive the right to argue against at a later date, the Examiner's statement that the groups of inventions are patentably distinct. Applicants expressly reserve the right to present the claims of Groups I-II and V, or other claims in one or more divisional, continuation, or continuation-in-part applications at a later date.

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Should the Examiner have any questions or comments, or need any additional information from Applicant's attorney, the Examiner is invited to contact the undersigned at their convenience.

Respectfully submitted,

By

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